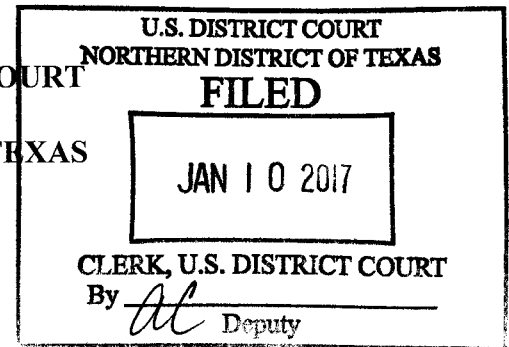


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



KIMBERLY D. POLLARD and J.S. (A
Minor Child),

PLAINTIFFS,

vs.

CHURCH OF GOD IN CHRIST, INC., an
Active Domestic Tennessee Nonprofit
Corporation, and CHURCH OF GOD IN
CHRIST, BOARD OF BISHOPS, and BISHOP
JAMES L'KEITH JONES,

DEFENDANTS.

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CIVIL ACTION CAUSE NUMBER

2:16-CV-238-J

ORDER

Before the Court are the Plaintiffs' motion, filed December 6, 2016, for entry of a final default judgment against Defendants Church of God in Christ, Inc. and the Board of Bishops of the Church of God in Christ, and Defendants Church of God in Christ, Inc. and the Board of Bishops' counter-motion, filed January 3, 2017, to set aside the Clerk's entry of default against them. Plaintiffs have filed a response in opposition to the Defendants' motion to set aside the default, but the Defendants have not filed a response to Plaintiffs' motion for entry of a final default judgment.

On December 6, 2016, the Clerk certified the facts that Defendant Church of God in Christ, Inc. and Defendant Board of Bishops had been served with process but had not filed any answer to the Plaintiffs' original complaint. The Defendants still have not filed their answers. It is clear from the record that Defendants Church of God in Christ, Inc. and the Board of Bishops of the Church of God in Christ were served, but failed to timely file an answer or otherwise timely respond in this civil lawsuit.

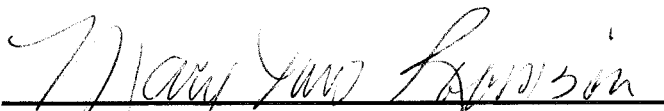
Defendant Church of God in Christ, Inc. now moves to set aside the Clerk's entry of default. Plaintiffs oppose that relief. In the interest of justice and because defaults are disfavored, Defendant Church of God in Christ, Inc.'s motion is granted. The Clerk's entry of default is hereby set aside.

Plaintiffs move for entry of a final default judgment against Defendants Church of God in Christ, Inc. and the Board of Bishops of the Church of God in Christ. Plaintiffs have not shown that the Board is an entity that can be sued separate and apart from the Church itself. Plaintiffs' motion for entry of a final default judgment against Defendant Board of Bishops of the Church of God in Christ, Inc. is therefore denied. Given the Court's grant of Defendants Church of God in Christ, Inc.'s motion to set aside the Clerk's default, the Court further denies the Plaintiffs' motion for entry of a final default judgment against Defendant Church of God in Christ, Inc.

Defendants Church of God in Christ, Inc. and the Board of Bishops of the Church of God in Christ are to file their original answers immediately.

It is SO ORDERED.

Signed this the 10th day of January, 2017.



MARY LOU ROBINSON
SENIOR UNITED STATES DISTRICT JUDGE